

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
13	[REDACTED]	1	[REDACTED]
14	[REDACTED]	1	[REDACTED]
15	[REDACTED]	1	[REDACTED]
16	[REDACTED]	1	[REDACTED]
17	[REDACTED]	1	[REDACTED]
18	[REDACTED]	1	[REDACTED]
19	[REDACTED]	1	[REDACTED]
20	[REDACTED]	1	[REDACTED]
21	[REDACTED]	1	[REDACTED]
22	[REDACTED]	1	[REDACTED]
23	[REDACTED]	1	[REDACTED]
24	[REDACTED]	1	[REDACTED]
25	[REDACTED]	1	[REDACTED]
26	[REDACTED]	1	[REDACTED]

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
27	[REDACTED]	1	[REDACTED]
28	[REDACTED]	1	[REDACTED]
29	[REDACTED]	1	[REDACTED]
30	[REDACTED]	1	[REDACTED]
31	[REDACTED]	1	[REDACTED]
32	[REDACTED]	1	[REDACTED]
33	[REDACTED]	1	[REDACTED]
34	[REDACTED]	1	[REDACTED]
Golf Channel Affiliation Agreements and Amendments			
35	[REDACTED]	1	[REDACTED]
36	[REDACTED]	1	[REDACTED]
37	[REDACTED]	1	[REDACTED]
38	[REDACTED]	1	[REDACTED]
39	[REDACTED]	1	[REDACTED]

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
40	[REDACTED]	[REDACTED]	[REDACTED]
41	[REDACTED]	[REDACTED]	[REDACTED]
42	[REDACTED]	[REDACTED]	[REDACTED]
43	[REDACTED]	[REDACTED]	[REDACTED]
44	[REDACTED]	[REDACTED]	[REDACTED]
45	[REDACTED]	[REDACTED]	[REDACTED]
46	[REDACTED]	[REDACTED]	[REDACTED]
47	[REDACTED]	[REDACTED]	[REDACTED]
48	[REDACTED]	[REDACTED]	[REDACTED]
49	[REDACTED]	[REDACTED]	[REDACTED]
50	[REDACTED]	[REDACTED]	[REDACTED]

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
51	[REDACTED]	[REDACTED]	[REDACTED]
52	[REDACTED]	[REDACTED]	[REDACTED]
53	[REDACTED]	[REDACTED]	[REDACTED]
54	[REDACTED]	[REDACTED]	[REDACTED]
55	[REDACTED]	[REDACTED]	[REDACTED]
OLN/Versus Affiliation Agreements and Amendments			
56	[REDACTED]	[REDACTED]	[REDACTED]
57	[REDACTED]	[REDACTED]	[REDACTED]
58	[REDACTED]	[REDACTED]	[REDACTED]
59	[REDACTED]	[REDACTED]	[REDACTED]
60	[REDACTED]	[REDACTED]	[REDACTED]
61	[REDACTED]	[REDACTED]	[REDACTED]
62	[REDACTED]	[REDACTED]	[REDACTED]
63	[REDACTED]	[REDACTED]	[REDACTED]
64	[REDACTED]	[REDACTED]	[REDACTED]

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
65	[REDACTED]	[REDACTED]	[REDACTED]
66	[REDACTED]	[REDACTED]	[REDACTED]
67	[REDACTED]	[REDACTED]	[REDACTED]
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69	[REDACTED]	[REDACTED]	[REDACTED]
70	[REDACTED]	[REDACTED]	[REDACTED]
71	[REDACTED]	[REDACTED]	[REDACTED]
72	[REDACTED]	[REDACTED]	[REDACTED]
73	[REDACTED]	[REDACTED]	[REDACTED]
74	[REDACTED]	[REDACTED]	[REDACTED]
75	[REDACTED]	[REDACTED]	[REDACTED]
76	[REDACTED]	[REDACTED]	[REDACTED]

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
Other Documents (Chronological Order)			
77	<i>An Economic Assessment of the Exclusive Contract Prohibition Between Vertically Integrated Cable Operators and Programmers</i> by Orszag, Orszag, and Gale (Jan. 2002)	33	Orszag
78	[REDACTED]	[REDACTED]	[REDACTED]
79	[REDACTED]	[REDACTED]	[REDACTED]
80	Declaration of Larry D. Gerbrandt, attachment to Supplemental Comments of TV One, <i>A La Carte</i> and <i>Themed Programming and Pricing Options for Programming Distribution on Cable Television and Direct Broadcast Satellite Systems</i> , MB Docket No. 04-207 (July 13, 2004)	19	Gerbrandt
81	Declaration of Robert D. Willig, Jonathan M. Orszag, and Jay Ezrielev Regarding <i>A La Carte Pricing</i> (July 15, 2004)	27	Orszag
82	[REDACTED]	[REDACTED]	[REDACTED]
83	[REDACTED]	[REDACTED]	[REDACTED]
84	[REDACTED]	[REDACTED]	[REDACTED]
85	[REDACTED]	[REDACTED]	[REDACTED]
86	[REDACTED]	[REDACTED]	[REDACTED]
87	[REDACTED]	[REDACTED]	[REDACTED]
88	[REDACTED]	[REDACTED]	[REDACTED]

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
89	[REDACTED]	[REDACTED]	[REDACTED]
90	[REDACTED]	[REDACTED]	[REDACTED]
91	[REDACTED]	[REDACTED]	[REDACTED]
92	[REDACTED]	[REDACTED]	[REDACTED]
93	[REDACTED]	[REDACTED]	[REDACTED]
94	[REDACTED]	[REDACTED]	[REDACTED]
95	[REDACTED]	[REDACTED]	[REDACTED]
96	[REDACTED]	[REDACTED]	[REDACTED]
97	[REDACTED]	[REDACTED]	[REDACTED]
98	[REDACTED]	[REDACTED]	[REDACTED]
99	[REDACTED]	[REDACTED]	[REDACTED]
100	Email from Shell to Holbrooke (Jan. 12, 2006); COMNFL FCC_00005845-7	3	Shell
101	[REDACTED]	[REDACTED]	[REDACTED]
102	[REDACTED]	[REDACTED]	[REDACTED]

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
103	[REDACTED]	1	[REDACTED]
104	[REDACTED]	1	[REDACTED]
105	[REDACTED]	1	[REDACTED]
106	[REDACTED]	1	[REDACTED]
107	[REDACTED]	1	[REDACTED]
108	Email from Shell to Sandomir (Jan. 26, 2006); COMNFL FCC 00005890-1	2	Shell
109	[REDACTED]	1	[REDACTED]
110	[REDACTED]	1	[REDACTED]
111	[REDACTED]	1	[REDACTED]
112	[REDACTED]	1	[REDACTED]
113	[REDACTED]	1	[REDACTED]
114	[REDACTED]	1	[REDACTED]
115	[REDACTED]	1	[REDACTED]
116	[REDACTED]	1	[REDACTED]
117	[REDACTED]	1	[REDACTED]

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
118	Press Release: Comcast Reports First Quarter 2007 Results (April 26, 2007)	6	Shell
119	[REDACTED]	1	[REDACTED]
120	[REDACTED]	1	[REDACTED]
121	[REDACTED]	1	[REDACTED]
122	Richard Sandomir, "Not Everyone Wants Channel That's All Big Ten, All the Time" (June 18, 2007); http://www.nytimes.com/2007/06/18/sports/18bigten.html	4	Burke
123	[REDACTED]	1	[REDACTED]
124	[REDACTED]	1	[REDACTED]
125	[REDACTED]	1	[REDACTED]
126	[REDACTED]	1	[REDACTED]
127	[REDACTED]	1	[REDACTED]
128	[REDACTED]	1	[REDACTED]
129	[REDACTED]	1	[REDACTED]
130	[REDACTED]	1	[REDACTED]
131	Email from Rudnay to Roberts and Cohen (Dec. 18, 2007); COMNFL_FCC_00003452-4	3	Cohen, Roberts
132	[REDACTED]	1	[REDACTED]
133	Reply Comments of Discovery Communications (Feb. 12, 2008)	50	Orszag
134	Comcast Corp – Form DEF 14A Proxy Statement (Apr. 2, 2008)	106	Roberts

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
135	[REDACTED]	1	[REDACTED]
136	[REDACTED]	1	[REDACTED]
137	Nielsen Galaxy Explorer Versus Golf Channel and NFL Network Ratings Analysis (May 1, 2008)	7	Hawkins
138	[REDACTED]	1	[REDACTED]
139	[REDACTED]	1	[REDACTED]
140	Declaration of Jeff Shell (June 19, 2008)	7	Shell
141	Declaration of Jonathan Orszag and Jay Ezrielev (June 19, 2008)	38	Orszag
142	Richard Sandomir, "NBC Remains Faithful to Struggling Notre Dame" (June 20, 2008); http://www.nytimes.com/2008/06/20/sports/ncaafootball/20sandomir.html	2	Burke
143	TNS ESPN Sports Poll, National Football League (Sep. 2008)	1	Hawkins
144	A Network to Satisfy the Appetite of Baseball-Hungry Fans, (Oct. 3, 2008); http://www.nytimes.com/2008/10/03/sports/baseball/03sandomir.html	3	Roberts
145	[REDACTED]	1	[REDACTED]
146	"Versus tries punching up its programming" (Nov. 27, 2008); http://www.philly.com/inquirer/business/homepage/35177794.html	3	Shell
147	"MLB Network rolls out with bait and switch." (Jan. 20, 2009); http://www.e-sports.com/articles/2234/1/MLB-Network-rolls-cut-with-bait-and-switch/Page1.html	3	Roberts
148	[REDACTED]	1	[REDACTED]
149	Comcast 2008 SEC Form 10-K (Feb. 20, 2009)	89	Burke

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
150	Michele Harris, "Comcast, Retirement Living TV partner to serve America's strongest demographic," <i>Erickson Tribune</i> (Feb. 28, 2009); http://www.ericksontribune.com/tabid/63/newsid404/8592/Default.aspx	2	Bond
151	John Cook, "Comcast COO Steve Burke on the future of the TV industry" (Mar. 12, 2009); http://www.techflash.com/Comcasts_Steven_Burke_on_the_future_of_TV_41173437.html	7	Burke
152	Mike Farrell, "Charter Receives Delisting Notice" (Mar. 31, 2009); http://www.multichannel.com/article/190949-Charter_Receives_Delisting_Notice.php?rssid=20059&q=stock+to+trade+on+%22pink+sheets%22+on+april+7	1	Orszag, Singer
Other Documents (Undated)			
153	[REDACTED]	1	[REDACTED]
154	[REDACTED]	1	[REDACTED]
155	[REDACTED]	1	[REDACTED]
156	[REDACTED]	1	[REDACTED]
157	[REDACTED]	1	[REDACTED]
158	[REDACTED]	1	[REDACTED]
159	[REDACTED]	1	[REDACTED]
160	[REDACTED]	1	[REDACTED]
161	[REDACTED]	1	[REDACTED]

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
162	[REDACTED]	1	[REDACTED]
163	[REDACTED]	1	[REDACTED]
164	[REDACTED]	1	[REDACTED]
165	[REDACTED]	1	[REDACTED]
166	[REDACTED]	1	[REDACTED]
167	[REDACTED]	1	[REDACTED]
168	[REDACTED]	1	[REDACTED]
169	[REDACTED]	1	[REDACTED]
170	[REDACTED]	1	[REDACTED]
171	[REDACTED]	1	[REDACTED]
172	[REDACTED]	1	[REDACTED]
173	[REDACTED]	1	[REDACTED]
174	[REDACTED]	1	[REDACTED]
175	[REDACTED]	1	[REDACTED]
176	Comcast "See Prices and Choose Packages"	2	Hawkins
177	TNS ESPN Sports Poll (2002-2007)	7	Hawkins

Exhibit Number	Descriptive Title	Number of Pages	Sponsoring Witness(es)
Documents as to Which Official Notice Is Requested			
178	Excerpts from Senate Report on Cable Television Consumer Protection and Competition Act of 1992 (June 28, 1991) S. Rep. No. 102-92, 1992 U.S.C.C.A.N. 1133	3 (pgs. 1, 18, 19)	N/A
179	Excerpts from Congressional Record – Consideration of the Cable Television Consumer Protection Act (Jan. 27, 1992) 138 Cong. Rec. S400-01	8 (pgs. 49, 122-5)	N/A
180	Excerpts from House Report on Cable Television Consumer Protection and Competition Act of 1992 (June 29, 1992) H.R. Rep. No. 102-628	3 (pgs. 1, 44, 45)	N/A
181	<i>Implementation of Sections 12 and 19 of the Cable Television Consumer Protection and Competition Act of 1992-- Development of Competition and Diversity in Video Programming Distribution and Carriage</i> , 2d Report & Order, 9 FCC Rcd 2642 (1993)	36 (2642-77)	N/A
182	<i>TCR Sports Broadcasting Holding, L.L.P. v. Comcast Corporation</i> , Mem. Op. & Hearing Designation Order, 21 FCC Rcd 8989 (2006)	10	N/A
183	<i>Formal Complaint of Free Press and Public Knowledge Against Comcast Corporation for Secretly Degrading Peer-to-Peer Applications</i> , Mem. Op. & Order, 23 FCC Rcd 13028 (2008)	67	N/A
184	<i>NFL Enterprises LLC, Complainant v. Comcast Cable Communications, LLC, Defendant</i> , Mem. Op. & Hearing Designation Order, 23 FCC Rcd 14787 (2008)	60	N/A
185	<i>TCR Sports Broadcasting Holding, L.L.P. d/b/a Mid-Atlantic Sports Network v. Time Warner Cable Inc.</i> , Order on Review, 23 FCC Rcd 15783 (2008)	33	N/A

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NFL Enterprises LLC v. Comcast Cable Communications, LLC

Deposition Excerpt Designations

William Bridgen

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53:5	54:7
57:9	58:20
64:20	65:17
67:22	69:5
76:11	76:22
77:9	78:12
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97:7	97:11
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165:7	165:13
173:10	174:11
179:14	180:19
211:6	211:19

NFL Enterprises LLC v. Comcast Cable Communications, LLC

Deposition Excerpt Designations

Russell Chandler

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18:24	21:10
25:23	28:3
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44:14	44:17
44:18	45:3
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71:12	74:9
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106:7	107:12
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Deposition Excerpt Designations

David Cohen

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4:2	4:12
5:2	5:9
5:16	5:18
9:23	10:24
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127:23	131:3
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204:7	207:18
211:8	212:17
230:25	232:5
238:15	240:5

**GLOSSARY OF TERMS OF
NFL ENTERPRISES LLC**

As directed by the Presiding Judge's e-mail of April 18, 2009, NFL Enterprises LLC ("Enterprises") submits the following glossary of acronyms and specialized terms that are likely to be relevant to this litigation.

Term	Definition
2004 Agreements	The Affiliation Agreement and Negotiation Agreement (each defined below) between Comcast and Enterprises, executed on August 11, 2004. Comcast has contended that the two agreements must be read together, and initially persuaded the New York trial court of that view. Enterprises contends that the two agreements are distinct, and persuaded the New York Appellate Division to reverse in its favor on this point.
Affiliated	A network is "affiliated" with an MVPD if the MVPD holds a financial interest in the network that is attributable under Section 616 of the Communications Act of 1934, as amended. It is undisputed that Versus, the Golf Channel, MLB Network, and various other networks (including regional sports networks) are affiliated with Comcast, and that the NFL Network is not affiliated with Comcast or any other MVPD.
Affiliation Agreement	A contract used to license a programming network (such as the NFL Network) to an MVPD (such as Comcast). Comcast and the NFL Network entered into their only Affiliation Agreement on August 11, 2004.
Comcast	The Defendant in this proceeding; <i>see Comcast Cable Communications, LLC</i> .
Comcast Cable Communications, LLC	The subsidiary of Comcast Corp. that operates the company's MVPD service. Comcast Cable Communications, LLC is the Defendant in this case.
Comcast Corp.	The parent company that includes Comcast Cable Communications, LLC and other subsidiaries that operate Comcast's affiliated cable networks.
Comcast Programming Group	The organization within Comcast Corp. that operates Comcast's affiliated cable networks, including Versus and the Golf Channel.

Term	Definition
Conditional Tiering Right	The 2004 Agreements grant Comcast the right to distribute the NFL Network solely on a Sports Tier under certain conditions. In the New York Actions, the parties are litigating over the interpretation of contract language that describes those conditions. In May 2007, a New York trial court held that the contract language gave Comcast the right to place the NFL Network on a Sports Tier. Following that ruling, the NFL Network was moved to a Sports Tier on most Comcast systems in the summer of 2007. In February 2008, a New York appellate court reversed the trial court's decision and remanded the case to the trial court for discovery.
D2	<i>See Tier.</i>
DBS	Direct Broadcast Satellite. Examples of DBS operators include DIRECTV and EchoStar (also known as DISH Network).
DMA	Designated Market Area: a geographical designation of a media market created by Nielsen Media Research.
Eight-Game Package	Eight live, regular-season NFL games, aired during November and December, that in January 2006 the National Football League licensed to the NFL Network. Comcast bid to obtain the rights to these games. Before the number of games to be included in this package was finalized, it was sometimes referred to as the "5th Games Package" or "Incremental Cable Package."
Enterprises	The Complainant in this proceeding; <i>see NFL Enterprises LLC</i> .
Expanded Basic	<i>See Tier.</i>
Independent	A network is "independent" if it is not affiliated with an MVPD. It is undisputed that the NFL Network is independent.
MSO	Multiple System Operator: a cable operator that operates multiple cable systems. Comcast Cable Communications, LLC is an MSO.
MVPD	Multichannel Video Programming Distributor: a distributor that, unlike a broadcast station, delivers more than one channel to viewers. There are various types of MVPDs, including MSOs and other cable operators; DBS operators; and telephone company (telco) video providers, such as Verizon FiOS and AT&T Uverse.
National Football League	The association of the 32 National Football League clubs. NFL Enterprises LLC, the Complainant in this case, is affiliated with but not owned by the National Football League.

Term	Definition
Negotiation Agreement	The Negotiation Agreement is one of two agreements between Enterprises and Comcast executed on August 11, 2004. It sets forth an agreement by Enterprises to negotiate with Comcast for the rights to “(a) a package of live, out-of-market, NFL games (‘Out-of-Market Package’) and (b) a package of live, nationally-telecast NFL games (‘Additional Cable Package’).”
NER	Net Effective Rate: the actual per-subscriber rate paid by an MVPD to license a cable channel, after taking into account all consideration paid by the parties and any discounts or other adjustments to the MVPD’s license fee.
New York Action	On October 2, 2006, Enterprises filed a lawsuit against Comcast in the New York State Supreme Court seeking a declaration under the Affiliation Agreement that Comcast was prohibited from placing the NFL Network on a Sports Tier (<u>NFL Enterprises LLC v. Comcast Cable Communications, LLC</u> , Index No. 603496/06). Comcast filed its answer and moved for summary judgment, and Enterprises cross-moved for summary judgment. On May 4, 2007, the New York State Supreme Court granted Comcast’s motion for summary judgment and denied Enterprises’ motion. The court stated that Comcast is “entitled to distribute the NFL Network on a Sports Tier, under the agreements between the parties.” Enterprises appealed this decision on May 11, 2007 and, on February 26, 2008, the New York Appellate Division reversed the trial court’s decision in <u>NFL Enterprises LLC v. Comcast Cable Communications, LLC</u> , Index No. 603496/06, and remanded the case to the lower court for discovery and trial. The cases are currently in discovery, including with respect to the various counterclaims Comcast has asserted.
NFL Enterprises LLC	The company, owned by the 32 member clubs of the National Football League, that operates the NFL Network. NFL Enterprises LLC is the Complainant in this case.
NFL Network	A critically-acclaimed network operated by Enterprises that is shown on cable, satellite, and telco systems, and that provides in-depth football programming, including eight live, regular season and 54 pre-season live and tape-delayed NFL games, coverage of the NFL Scouting Combine and the NFL Draft, training camp coverage, and a variety of other football-oriented programming, to fans of the nation’s most popular sport.
OLN	Outdoor Life Network (Versus’ name before Comcast rebranded it).

Term	Definition
Penetration	A percentage reflecting the proportion of a particular MVPD's subscribers that receive a particular network. For example, if the NFL Network were received by 2 million of Comcast's 24.2 million subscribers, the NFL Network's penetration would be 8.3%.
Sports Entertainment Package ("SEP")	<i>See Tier.</i>
Sports Tier	<i>See Tier.</i>
Subscriber (also known as a "Sub")	A customer of an MVPD.
Telco	Telephone Company. Refers to telephone companies, such as Verizon and AT&T, that provide multichannel video service and that, therefore, are MVPDs.
Tier	<p>A collection of channels on an MVPD's system that are sold as a unit. Cable operators frequently arrange tiers in a hierarchy so that a subscriber who purchases a "higher" (<i>i.e.</i>, more expensive) tier also receives programming contained in "lower" (<i>i.e.</i>, less expensive) tiers. Enterprises understands that most Comcast cable systems include these tiers, among others:</p> <ul style="list-style-type: none"> ▪ Expanded Basic: A collection of channels available to about 82-84% of Comcast's subscribers (both digital and analog) nationwide, according to Comcast, or about 20 million subscribers. Comcast generally carries Versus and the Golf Channel on this tier. ▪ D2: The collection of channels that is second most widely distributed to Comcast's digital cable subscribers. Prior to June 2007, Comcast generally carried the NFL Network on this tier, and it was distributed to about 8.6 million households. Enterprises believes that the current number of D2 subscribers is substantially closer to the 17 million Comcast customers who currently receive digital cable service. ▪ Sports Entertainment Package ("SEP") or Sports Tier: Comcast's premium sports tier. In June 2007, Comcast began carrying the NFL Network on this tier, which is distributed to approximately 2 million Comcast subscribers.
Vertically Integrated MVPD	A company that has a financial interest in both an MVPD and a video program service.